HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE G.V.SEETHAPATHY

WRIT APPEAL NO.1186 OF 2002

Between:

The State of A.P. and another

. . .Appellants

AND

M.Veera Mallaiah and another

. . .Respondents

Counsel for the appellants : Government Pleader for Revenue

Counsel for the respondent No.1 : Shri A.Ravinder

Counsel for the respondent No.2 : Shri A.Rajashekar Reddy

Dated: 2nd August, 2006

: JUDGMENT :

PER G.S.SINGHVI, CJ

This appeal is directed against order dated 23.04.2002 passed by the learned Single Judge in W.P.No.19666 of 1996 whereby she directed the non-petitioners (appellants herein) to pay freedom fighters pension to the writ petitioner (respondent No.1 herein) from the date of his application with a further direction that arrears be paid to him within a period of two months.

Learned Government Pleader for Revenue very fairly states that at the time of filing of the Writ Appeal, there was some doubt about respondent No.1's entitlement to receive pension from the date of application, but during the pendency of the appeal, the State Government has decided to extend the benefit of freedom fighters pension to the eligible persons from the date of application and in view of that decision, the appellants may be permitted to withdraw the appeal.

We appreciate the fair gesture shown by the Government and dismiss the appeal as withdrawn.

As a sequel to dismissal of the appeal, interim order dated 19.09.2002 passed in W.A.M.P.No.2266 of 2002 shall stand vacated automatically and that application shall stand dismissed.

The appellants shall now pay the arrears to respondent No.1 within a period of four weeks from the date of receipt of copy of this order. Secretary, Revenue FF.II department should ensure that Collector, Karimnagar deputes an officer of the rank of Revenue Divisional Officer to go to the residence of respondent No.1 and

handover the cheque representing the arrears of pension payable to him for the period from 01.01.1991 to 31.01.1994. If for any reason, respondent No.1 is not found at the given address, then Secretary, Revenue FF.II department should file an application through the Government Pleader for appropriate directions.

G.S.SINGHVI, CJ

G.V.SEETHAPATHY, J

Date: 02.08.2006

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